

EFFECT UPON THE COMMUNITY OF WOODGATE

1.) The Postal Service's biased and prejudicial survey of the impact of the community failed to review the economic and social impact to the community of Woodgate, but instead used a customized self-serving methodical program that is reflected in the cited lengthy administrative record of the proceeding. The several hundred responses and petition containing six hundred ninety-three signatures all opposed closure. The Postal Service's own admission in their study of discontinuance showed only four patrons supported closure. On Item No.38 Page 3 of the official record, a letter from Robert Scheehl, CMSgt (Ret) stated to Mr. Brian Shepardson, Manager, Post Office Operations that Mr. Scheehl had received the letter and questionnaire, "but being a very independent individual I have chosen not to take your survey. Strikes me kind of like a poll which as we know can be shaped to get the result you want." Mr. Scheehl then outlined his opposition to closing in a letter.

2.) The Postal Service claims in their reply to have answered every concern presented. The answers were pro-forma and reflected computer-generated responses not in accordance with the Commission's ruling in the Matter of Woolsey, Georgia Docket A82-1, May 14, 1982 at 7 and in the Matter of Lone Grove Docket A79-1, May 7, 1979 at 10, 13 and 16 that the Postal Service is required, as a matter of law, to make an independent inquiry into non postal effects of closings and must demonstrate that such inquiry was made including the business, economic and social effects on the community of Woodgate. It is without question that the "official postal record" is not an independent non biased inquiry.

3.) Petitioner Walter Paprock notes that on Page 3, Paragraph 2 of the USPS Comments (Docket No. A2011-70-Nov. 7, 2011) that "All issues raised by the customers of the Woodgate Post Office were considered and properly addressed by the Post Office." On July 23, 2011, Petitioner Paprock mailed and faxed a letter to Edward F. Phelan Jr. District manager, Postal Operations Albany (Attached Exhibit#1).

The same attorneys state that the Postal Service “Estimates that Rural Route Carrier Service would cost the Postal Service substantially less than maintaining the Woodgate Post Office”. My plan would have provided a better cost savings and the post office could stay open and bring in revenue from rental boxes and retail sales that a rural carrier will never be able to achieve. Petitioner Paprock never received a written response or phone call, nor is there any mention of the letter in the public record. On August 24, 2011 Paprock called Nadine Tremblay, Albany Operations, to inquire about the letter and was told she was unaware of the letter, but would return a response ASAP, Paprock is still awaiting a reply. Petitioner Paprock is a Woodgate resident and daily customer at the Woodgate Post office and has raised issues that were never addressed by the Postal Service. The Postal Services’ statement, is not a statement of fact and clearly misrepresents reality. The Postal Service failed to address any alternatives proposed in Paprock’s letter, other than the final determination to close.

4.) The petitioners still contend that forty two business letters found at pages 191-242 of Item 38 of the Official Record Opposing Closing were omitted from the official record submitted to the PRC website. On Page six of the reply brief, the Postal Service indicated considering the contents of the letters but dismissed their content.

5.) The postal service only calculated one-way mileage to the nearest post office.

6.) On Page 9 of the “Comments Reply”, Postal Attorneys state that the record does not reflect that Woodgate lacks Internet and Cellular service. If in fact the Postal Service had done a survey of the community of Woodgate they would have learned that only one cellular provider serves Woodgate and the Town of Forestport, and many residents do not have access to cellular and internet services. The local library internet terminals receive heavy usage and each customer is limited to thirty minutes’ time. The Postal Services claims that Woodgate internet usage is the reason for revenue drop at the Post Office when, in fact, both Petitioners Isley and Paprock have seen a thirty- to fifty-percent drop in their personal business revenue due to the overall economic conditions.

ECONOMIC SAVINGS

1.) The Postal Service obtained their “workload” survey tally on a three week basis during the month of February. February is the slowest time for the Woodgate office since it is during the peak of heavy Great Lakes and Northeast winters. This survey does not reflect our seasonal impact to the office.

2.) Woodgate is a manual non-automated Post office and the Postal Service uses the small office variance tool (SOV) to calculate work hours. (Testimony presented in Docket No. N2011-1 - Retail Access Optimization Initiative). Problems exist with the methodology employed to determine the work credit, thus the conclusions reached about work hours are flawed and should be called to question. Use of this tool is biased against the Woodgate office because it fails to include scanning Express Mail, Priority, parcel, parcel select, parcel return and other scanning processing procedures. The SOV does not capture the work load credit is in the manual completion to validate “Financial Form 1412”. Handwritten offices such as Woodgate are required to provide handwritten documentation and verification and then submit it to a web-based program. The SOV does not capture the time consumption of building maintenance, janitorial service and providing safe ingress and egress to the office by the officer in charge. Therefore, the workload hours used by the Postal Service against Woodgate are flawed and should be justification to allow the Commission remand the entire matter to the Postal Service for further consideration. Section 404 (D) (5).

3.) The Postal Services’ claim of economic savings is a mute statement since it is in direct violation of Title 39 which states “No small post office shall be closed solely for operating at a deficit”. The economic savings provided by the Post Office are truly to be self serving and as flawed as their workload numbers are. However, the petitioners cannot do a comparison because the postal service claims in their “reply brief” that facility-specific financial data, such as revenue and volume, is considered sensitive commercial information that may be withheld from mandatory FOIA requests. The petitioners did note that mileage costs were not included in the Cost Analysis Form for Rural Carrier Cost Alternative Replacement Service, thereby making the economic savings numbers flawed.

It is unknown by the petitioners who completed the financial analysis. Was it a USPS financial professional, or an independent certified public accounting firm? If the Postal Service was truly committed to providing the “maximum degree of service” and not closing an income-producing facility by replacing it with a costly rural route service, USPS would review the alternatives to reduce costs as presented by the petitioners. As future cost saving proposals, the USPS has proposed in their Vision 2020 Plan to eliminate carrier service. Where does that leave the proposed “alternative rural route proposal” presented to Woodgate? Closing of Woodgate would generate a national cost savings of .0002%

EFFECT ON EMPLOYEES

1.) The petitioners claim that the final determination to close is arbitrary, capricious and prejudicial against Woodgate since the Postal Service justifies the final determination of closure due to the lack of a postmaster, citing retirement of a postmaster on October 2, 2009. Again, this is a blatantly self-serving action by the postal service who are negligent in the appointment since they are responsible to ***provide the maximum degree of effective and regular postal services.***

2.) The petitioners also claim prejudicial and capricious action against Woodgate since the neighboring offices of Inlet (13360) Old Forge (13420) and Thendara (13472) are operating without a postmaster, but were not cited for review of closure.

3.) The petitioners claim that there is an effect on employees by the Postal Service trying to circumvent the law by using the term “non-career” employee for the PMR and OIC of the offices. The Postal Service states that the OIC and PMR may be separated from the Postal Service. The Woodgate PMR has served the office and the Postal Service for twenty four years. Thus, unemployment would have a major effect on a resident of Woodgate and the office and people she has served.

SUMMARY AND CONCLUSION

It is the petitioners' contention that the Postal Service did not consider all factors consistent with the mandate of Title 39 U.S.C. § 404 (d) (2) (A).

- the Postal Service failed to conduct an independent inquiry into non-postal effects of closing and demonstrate that such inquiry was made including the business, economic and social effects of the community of Woodgate in accordance with the commission's rulings in Dockets A82-1 and A79-1. The USPS responses to Woodgate patron concerns in the "official record" were computer-generated using the Change Suspension Discontinuance center software (CSDS) and were applied to every proposed postal closing nationwide.

- the Postal Service failed to address any alternatives to closing including the alternatives presented by the petitioners. (Exhibit 1). The Postal Service failed to address where the \$35,000 yearly income of the income-producing facility would be retained.

- the Postal Service was biased and prejudiced in their failure to appoint a postmaster in 2009 to provide the maximum degree of effective and regular postal services to the community of 13494. (Title 39 Section 1001 - Personnel)

- the closing was predetermined based on the mandated inclusion into the landlord's lease in 2009 of a sixty-day termination clause, two weeks after the postmaster's retirement. The lease had been effective for thirteen years without a termination clause.

- the Postal Service failed to provide accurate workload data with use of the office variance (SOV) tool in reviewing the non-automated Woodgate office. Such computer software fails to allow for proper workload evaluation of non-automated offices. (Testimony presented in Docket No. N2011-1 -Retail Access Optimization Initiative.)

- The Postal Service failed to provide accurate cost analysis by preventing any cross examination of financial data by withholding disclosure.

- The Postal Service provided flawed “workload” and “economic savings information by failing to include mileage costs in their “alternative rural route proposal” and showing where the income from the post office would be reproduced.

- The Postal Service’s targeting of rural offices such as Woodgate for closure violates the rural community’s businesses and people’s rights that are guaranteed in Title 39 USC 101: US CodeSection 101 which requires the same fundamental level of service to people whether they live in rural or metropolitan areas.

- The Postal Service had a predetermined outcome prior to weighing the evidence and issuing their final determination order.

THEREFORE the Postal Service has acted arbitrarily and capriciously through ignoring Title 39, Part 1, Chapter 1 Section 101 and 39 U.S.C. § 404 (d)(2) (A) and the petitioners respectfully request that the Commission remand the entire matter to the Postal Service for further consideration in accordance with Section 404 (D) (5).

Respectfully submitted,

Petitioners:
Woodgate Citizens Committee
and John B. Isley, William Karn and
Walter Paprock, Individually

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July 23, 2011

Mr. Edward F. Phelan, Jr.
District Manager Postal Operations
30 Karner Rd.
Albany, NY 12288

Dear Mr. Phelan:

As a resident and post office box holder of Woodgate, NY, I am concerned about the possible closure of our post office, and wish to comment on this issue.

Back on June 21, I read your editorial in the Utica O.D., entitled *Postal bailout? Return that one to sender*. I thought your letter was well-done and hit on some key issues.

It is certainly frustrating to learn that the congressional requirements for the USPS to pre-fund its retirement benefits have led to massive overpayments and thus, in turn, have created much of the current financial stress that has led to post offices being shut down. I personally believe that the men and women who carry out the daily duties of running the USPS do a fine job. I also know that the Postal Service has done a good job in reducing its operating costs over the last few years, and I totally agree with you – the USPS is the world's best shipping value.

Currently there are a few bills pending in Congress, such as HR1351, that would alleviate the postal service from having to overpay into its pension funds. I want you to know that I and many members of my community have been calling congressmen and –women all over the United States in support of HR1351. We are making steady progress, and I know this bill will pass when the folks in D.C. get around to it. Congressional support is growing, as in May there were only 65 co-sponsors, and as of today there are 176. I would hate to see our post office close down because help from D.C. did not arrive in time. I want you to know that the good people of Woodgate are not only working hard to save our post office, but are fighting to help the postal service prosper as well. We won't quit until this bill passes; please don't quit on us!

Please consider the following items:

1. The Rent. What if the rent on the Woodgate Post office was less? The current lease costs the USPS \$1100.00 per month. I have personally discussed this with the Woodgate Fire Chief, Tony Sege, and learned that the subject has been discussed and voted on by the fire department membership. The Fire Department would be willing to lower the rent substantially on a new lease agreement.
2. The Postmaster Position. Our previous Postmistress, Linda Hart, did a fine job and recently retired. Since her departure, the Postal Service has used an Officer-in-Charge

to run our post office. This is working out fine. We still get great service, and the Post Office saves money. This was a great idea, a win-win situation; why not keep what works?

3. Our Community. Our community is made up of four distinct groups:

- a. Young Families. Over the past several years we have had many young families move into the Woodgate area. I bet you didn't know this, but the Town of Webb school district has had to purchase extra buses just to handle the growing number of students in the Woodgate area.
- b. Senior Citizens. We have a large number of seniors in our area, and the plain truth is that many are not computer literate and therefore cannot use the postal services on line.
- c. Seasonal Residents. From April to November our local population swells. We have three youth camps within two miles of the post office with 3,000+ campers every year. In addition to this, we have three large lakes that account for hundreds of private camps and summer homes, not to mention hundreds more on back roads off the water. This means thousands more seasonal residents and the number is continually growing. In recent years we have had a growing influx of winter enthusiasts using the camps. These seasonal visitors account for a very busy post office where sometimes finding a parking space can be a task.
- d. Businesses. We have a nice variety of new businesses that have started up during the past decade, and with our new highway finally in the completion stage, more are sure to follow.

Please consider this: Woodgate is a rural community at the edge of the Adirondack Park. Most homes DO NOT have access to cable tv or broadband internet. Yes, this is the world in which we live. Time Warner and Frontier won't run lines to most roads. Being in the Park, the Adirondack Park Agency restricts the cutting of trees, thus satellite reception in the heart of a forest is very poor and unreliable. Cell phone coverage is a joke. We don't have high-tech alternatives to a real brick and mortar post office. We NEED our post office.

The people of Woodgate are not your adversary, we would like to work with you to find a viable solution for our community. I would appreciate your input, and would be happy to discuss this issue with you further. Please feel free to call me at (315) 392-2244.

Respectfully,

Walter J. Paprock